

## CHARLES O. FERRY AND OTHERS

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MARCH 20, 1956.—Committed to the Committee of the Whole House and ordered to be printed

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Mr. BOYLE, from the Committee on the Judiciary, submitted the following

### REPORT

[To accompany H. R. 909]

The Committee on the Judiciary, to whom was referred the bill (H. R. 909) for the relief of Charles O. Ferry and others, having considered the same, report favorably thereon with amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Page 2, line 4, strike out "in excess of 10 per centum thereof".

#### FACTS

Charles O. Ferry, Stanley R. Buck, Ray P. Cady and Arthur T. Hartman were employees of the United States at the Johnson River Maintenance Camp of the Alaska Road Commission. They were required to live in Government quarters and deductions were made from their compensation to cover the costs of housing. On January 11, 1953 the messhall-quarters and utility of the camp were completely destroyed by a fire which began in the early morning. The claims presented in this bill are for the loss of the personal property of the above named men.

The United States Department of Interior states that the amounts of the claims appear to be reasonable and just. Their report further states that fire insurance rates at stations such as the Johnson River Camp are virtually prohibitive. The Department of Interior recommends the enactment of H. R. 909. The total cost to the Government in this bill is \$1,830.35.

The committee recommends that H. R. 909 be enacted.

UNITED STATES DEPARTMENT OF THE INTERIOR,  
OFFICE OF THE SECRETARY,  
Washington 25, D. C., August 4, 1955.

HON. EMANUEL CELLER,  
*Chairman, Committee on the Judiciary,*  
*House of Representatives, Washington 25, D. C.*

MY DEAR MR. CELLER: You have requested the views of this Department on H. R. 909, a bill for the relief of Charles O. Ferry and other employees of the Alaska Road Commission.

H. R. 909 would authorize and direct the Secretary of the Treasury to reimburse certain employees of the United States for the loss of their personal effects in a fire at the Johnson River Maintenance Camp of the Alaska Road Commission on January 11, 1953. Because of the isolation of the Johnson River Camp, these employees were required to live in Government quarters, and deductions were made from their compensation to cover the costs of housing; 3 of the 4 employees which H. R. 909 would reimburse, i. e., Ray P. Gady, acting foreman; Charles O. Ferry, cook; and Arthur T. Hartman, grader operator; were present at the camp at the time of the fire. The fourth, Stanley R. Buck, foreman, was on annual leave at that time.

On January 11, 1953, the messhall-quarters and utility buildings of the camp were completely destroyed by a fire which began in the early morning. Within 20 minutes of the discovery of the fire, both buildings were enveloped in flames. The three men present at the camp made every effort to prevent the spread of the fire, and they attempted to salvage their own property only after the impossibility of controlling the conflagration became obvious. The fact that the temperature was 63 degrees below zero delayed the arrival of any assistance from the nearest camp, 18 miles distant, until too late to prevent total destruction.

Reports submitted by those present at the fire, together with the report of the general foreman at Tok and the district engineer at Fairbanks, reveal no evidence of any wrongful or negligent act, either direct or contributory, by a Government employee. Consequently, those damaged could not file claims against the United States Government under the Tort Claims Act for damages or loss of personal property.

The amounts of the claims appear to be reasonable and just. They are supported by itemized lists of the personal property lost by the four claimants which will be made available to your committee upon request. The comparatively substantial amount of the claim of Stanley R. Buck is explained by the fact that he and his wife maintained their home at the camp.

Because fire insurance rates at stations such as the Johnson River Camp are virtually prohibitive, it is impracticable for individuals who are detailed for service at such stations to carry insurance on their personal effects. There is, of course, no legal obligation on the part of the Government to reimburse the employees at the Johnson River Camp for the value of their personal effects, even though the employees were officially assigned quarters and buildings where they were performing official duties. Nevertheless, in view of the circumstances here outlined, I believe that it is equitable and proper to recommend that these employees be reimbursed for the losses which they have sustained.

Enclosed for the use of the Committee are copies of statements of the employees of the Alaska Road Commission who were present at the fire together with inventories of the personal effects lost.

We therefore recommend enactment of H. R. 909. The total cost to the Government if the proposed bill were enacted would be \$1,830.35.

The Bureau of the Budget has advised that there would be no objection to the submission of this report to your committee.

Sincerely yours,

D. OTIS BEASLEY,  
*Administrative Assistant, Secretary of the Interior.*

Enclosures.

On January 10, 11:55 p. m. I walked through the washhouse on my way to my sleeping quarters, and everything looked all right. I went to bed.

At 1:45 a. m. January 11, I was awakened by Arthur Hartman calling "Something is on fire." I jumped from my bed and looked out the door. The whole inside of the washhouse was a mass of flames. I hurried into my clothes, ran to the cookhouse, forced the door open and called Charlie Ferry. Then I rushed to the garage to get all the fire extinguishers that I could carry. By that time the fire was part way across the shoot that carried water piping from washhouse to the cookhouse. We used every fire extinguisher we had. By that time the cookhouse was on fire. I then called telephone exchange and told them to get Tok, ARC, then tried to save what we could. Saved Buck's mail, sewing machine, radio, and some ARC records. By that time the fire drove us from the building. At 3:15 a. m. Bill Joines, with two other men arrived from Dot Lake at 3:45 a. m. The buildings were then completely on the ground. The wind was blowing from the washhouse to the cookhouse. We patrolled the rest of the time until the fire had died out.

(Signed) RAY P. CADY.

I was awakened by Mr. Cady at approximately 2 a. m., who told me that the camp was on fire. After I had dressed and came outside, the utility building was completely enveloped in flames and the fire had started spreading to the cookhouse. I went back in and started salvaging what personal belongings I could find and also property of the ARC and of Stanley Buck.

The flames spread so rapidly that there was little time to save anything.

(Signed) CHARLES O. FERRY, *Cook.*

On Sunday morning, January 11, at 1:45, I woke up and noticed that it was red outside, so I got up and looked, and saw that the washhouse was on fire. So I called Mr. Cady, who slept in the same building that I did. We got our clothes on and he rushed over to wake up Mr. Ferry, who was asleep in the next building, which was the messhall.

We saw there was nothing we could do with the washhouse as the fire had too much of a start, so we tried to save the messhall. But due to the lack of help, and all of our water supplies were in the washhouse, so we were unable to do so.

(Signed) ARTHUR T. HARTMAN.

to amount CHARLES O. FERRY, Box 1600, FAIRBANKS ALASKA

Article	Years old or condition	New value	Value at time of loss
Val-Pac, 1.....	New.....	\$35.00	\$35.00
Suit, 1.....	Fair.....	80.00	45.00
Do.....	Good.....	95.00	65.00
Pants, 1 pair.....	do.....	17.00	12.00
Do.....	do.....	18.95	12.00
Shirts, 5.....	Good or new.....	40.00	30.00
Wool shirt, 1.....	New.....	12.50	12.50
T-shirts, 6.....	Good.....	13.50	9.00
Shorts, 4 pair.....	do.....	8.00	6.00
Cooks' aprons, 6.....	Good or new.....	13.50	9.00
Eye glasses, 1 pair.....	New.....	40.00	40.00
Total.....			275.50

(Signed) CHARLES O. FERRY.

ARTHUR T. HARTMAN, Box 1600, FAIRBANKS, ALASKA

Article	Years old or condition	New value	Value at time of loss
Wool jacket, 1.....	New.....	\$25.00	\$25.00
Underwear, 1 suit.....	Good.....	7.50	7.50
Wool shirt, 1.....	do.....	10.00	5.00
Overalls, 1 pair.....	New.....	5.75	5.75
Mittens, 2 pair.....	Fair.....	5.00	3.50
Socks, 2 pair.....	do.....	4.00	2.00
Thermos bottle, 1.....	Good.....	1.25	1.25
Shaving kit, 1.....	do.....	20.00	15.00
Total.....			65.00

(Signed) ARTHUR T. HARTMAN.

RAY P. CADY, Dot Lake, Alaska

Article	New	Old (present value)
1 Schick electric razor.....	\$25.00	\$25.00
3 wool shirts at \$12 each.....	36.00	30.00
3 wool undershirts at \$9 each.....	27.00	22.00
1 pair Korea boots.....	12.50	10.00
1 pair overshoes.....	8.50	6.00
3 pair wool socks at \$1.50 each.....	4.50	3.00
3 pair coveralls at \$9.75 each.....	29.25	20.00
1 tooth brush.....	.75	.50
1 tooth paste.....	.45	.35
1 fur-lined work coat.....	30.00	20.00
1 pair work pants.....	5.00	4.00
1 pair wool work pants.....	12.00	10.00
Total.....		150.85

(Signed) ARTHUR T. HARTMAN



## STANLEY BUCK

Article	Years old, condition	Approximate value	Price estimate
Parka, alpaca lined	Good	\$36	\$25
Moccasins, 2 pair	do	14	7
Rugs, 5	do	35	20
Pillows, 2	do	12	6
Shoes, 2 new	New	20	20
Mackinaw coat	Fair	30	15
Bath scales	New	8	8
Hot-water bottle	do	7	7
Wool pants, 2	do	34	34
Ladies nylon uniforms, 2	do	30	30
White shirts, 2	do	10	10
Nylon hose, 4 pair	do	6	6
Hat, 1	do	5	5
Kitchen clock	do	5	5
Alarm clock	Used	7	3
Steak knives, 8	Good	8	5
Steak knives, 6 bone handles	New	10	10
Pie server, 2	Good	2	2
Radio, Zenith, 1	do	65	15
Phonograph records, 50	New and used	90	50
Attachments, sewing machine	Good		10
Mattress, Simmons, 1	New	50	50
Washing machine	1 year old	268	200
Mirrors, 2	Good	10	10
Salad set	do	3	3
Toaster GE, 1	Used	26	20
Waffle iron, electric	do	28	20
Knife sharpener, electric	New	10	10
Large cake plates and covers	Used	8	4
Chest of drawers with sewing equipment		80	45
Butcher knives, 2	Good	7	5
Meat slicer	New	16	16
Aluminum roaster, 1	Good	6	4
Aluminum kettle, 6-quart	do	5	3
One chest with felt	New	25	25
Rug, 19 by 12	Used	50	10
Vacuum cleaner, Hoover	do	50	20
Towels, 2 dozen, 12 new		15	12
Curtains and drapes and rods	Good	30	20
Bed lamp	do	4	2
Table lamps, 3 with shades	do	30	20
Stand lamps, 1	do	10	5
Garden hose, 100 feet	New	8	8
Lunch kits, 2	Good	5	2
Thermos jugs	do	5	2
Coffee pots, 2 Cory	do	6	6
Hand whips, 2	New	5	5
Cook books, 4	Good	12	12
Oven timer	New	5	5
Oven thermometer	do	3	3
Deep-fat thermometer	do	3	3
Rubber gloves, 3 pair	do	3	3
Bed, 1, and springs	Used	80	50
2 wool quilts and 1 wool blanket	Good	35	25
1 bedspread	do	8	6
Used clothes but in good condition:			
3 uniforms			
5 house dresses			
2 pair men's wool pants			
2 wool shirts			
4 work shirts			
Other women's apparel (estimated value)		50	50
Parakeets, 10		70	70
Canary, 1	10	10	10
Parakeet seed, 2 cases		20	20
Handmade articles:			
Dresser scarfs, 4		15	15
Pillow slips, 6 pair		24	24
1 hand-quilted quilt		30	30
2 lace table cloths		16	12
6 hand-painted spode china cups		36	36
Jewelry chest and articles—necklace, brooches, rings, earrings and other jewels, estimated			50
Medicine and equipment, nurses, estimated			25
2 needle pictures		20	20
2 oil paintings		50	50
Total			1,339

